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AZ CORP COMMISSION
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Attorneys for Sun City Grand
Community Association

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

**IN THE MATTER OF THE
APPLICATION OF ARIZONA-
AMERICAN WATER COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR INCREASES
IN ITS RATES AND CHARGES BASED
THEREON FOR UTILITY SERVICE BY
ITS AGUA FRIA WATER DISTRICT,
HAVASU WATER DISTRICT, AND
MOHAVE WATER DISTRICT**

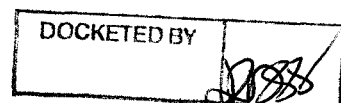
DOCKET NO. W-01303A-10-0448

**INTERVENOR CLASS
RESPONSE TO ARIZONA-
AMERICAN'S MOTION FOR
EXTENSION OF TIME**

Sun City Grand Community Association ("SCGCA"), as the designated representative for the class of intervening homeowner associations (the "Class")¹, hereby responds to the Motion for Extension of Time filed by Arizona-American Water Company (the "Company") on October 17, 2011.

Arizona Corporation Commission
DOCKETED

OCT 18 2011



¹ The Class is comprised of approximately 24,000 people.

1 For the reasons stated below, the Company's request for an extension should be
2 denied, unless the testimony deadlines and hearing dates are postponed as proposed by the
3 Class in its Motion for Reconsideration of the procedural schedule, filed on September 30,
4 2011.

5 As a matter of professional courtesy, undersigned counsel typically grants extensions
6 requested by opposing counsel. However, the Company has consistently and aggressively
7 pushed to accelerate this matter, whether through bifurcating the hearing schedule or
8 insisting upon impracticable testimony deadlines and hearing dates. All of this has occurred
9 despite the Class's best efforts to come to a mutually acceptable schedule that provides
10 sufficient time to exercise its due process rights and effectively participate in the rate hearing
11 process.

12 The Company's scorched earth strategy has placed enormous pressure on all parties,
13 including the Company. To take just one example, the Company continues to violate the
14 January 20, 2011 Procedural Order requiring that it provide responses to all data requests
15 within seven calendar days, unless otherwise agreed by the parties.

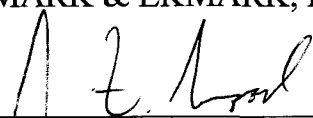
16 Ironically, the Company now seeks an extension, knowing full well that the
17 Commission will not have an opportunity to rule until after the Company's lawyers have
18 already granted themselves the extension and filed late. This is just further proof that the
19 current schedule is unrealistic.

20 The Company cannot have it both ways. It cannot unilaterally decide to grant itself an
21 extension because it needs more time while relentlessly pushing for a schedule that
22 effectively denies the Class its due process rights. Given the current schedule, the Motion to
23 Dismiss must be ruled on as soon as possible. If granted, it would prove an enormous waste
24 of time and money for the Class to pay its experts to continue to prepare rushed Direct
25 Testimony on data that is obsolete. In short, any delay in a ruling on the Motion prejudices
26 the Class, adding insult to injury.

1 Accordingly, the Company's request for an extension should be denied, and its
2 response struck, unless the testimony deadlines and hearing dates are postponed as proposed
3 by the Class in its Motion for Reconsideration of the procedural schedule filed on September
4 30, 2011. As the Company's actions (or inactions) amply demonstrate, it is in the best
5 interests of all parties to postpone the written testimony deadlines and hearing dates to allow
6 all parties adequate time to prepare and participate in a meaningful manner.

7 DATED this 18th day of October, 2011.

8
9 EKMARK & EKMARK, L.L.C.

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1 **Certificate of Service**

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3 **ORIGINAL** and thirteen (13) copies
4 of the foregoing filed this 18th day of
October, 2011 with:

5 Docket Control
6 Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

7 **COPY** of the foregoing hand-delivered
8 this 18th day of October 2011 to:

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10 Legal Division
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